



THE END TO BE SOON

The State Now Rests Content.

ELIMINATIONS BY JUDGE

However He is Willing to Receive Arguments on His Instructions.

MUST CLOSE NEXT WEEK

State Decides Not to Call the Mine-owners or the Pinkertons as Witnesses This Eliminates Some Very Interesting Testimony to the Public.

BOISE, July 17.—The State of Idaho rests content with the evidence it has produced to prove that Haywood conspired to kill and therefore murdered ex-Governor Steunenberg. Tomorrow Haywood, through his counsel, will rest his case with the jury so far as the evidence is concerned. Possibly some witnesses will be called in rebuttal but Haywood's counsel announce that the case may close without any further evidence. Judge Wood has invited argument on his own proposition to eliminate certain evidence from consideration by the jury and probably the day may be taken to present the views of both sides as to the instructions to the jury. On Friday the argument is expected and the last stage of the trial will have commenced. After having dismissed the jury this afternoon, Judge Wood stated as his opinion that the evidence introduced by the defense to prove conspiracy on the part of the Mine Owners by showing the deportation of the union miners from Cripple Creek in 1903 and 1904 was not material to the issue involved and should not be submitted to the jury. On the other hand, he said the showing by the state that Steve Adams was concerned in the killing of two men in the Coeur d'Alene district did not appear to the court to be germane and should be eliminated. He announced however that he would hear arguments on these points tomorrow. Further the court asked for the instructions to be submitted at once and the arguments on these instructions may be submitted tomorrow. J. H. Hawley will open the argument for the state and E. F. Richardson for the defense. Darrow will close for Haywood and the final argument will come from Senator Borah. Today opened with the statement from Haywood's counsel that they desired the court to order D. C. Scott, William Dewey and J. C. Rutan, the witnesses, for the state, to remain within the jurisdiction of the court.

The state called but two witnesses today. At the last moment the state thought it would strengthen their case not to call the Mine Owners or the Pinkertons. As a result a number of the most interesting witnesses will not be heard. No amount of cross examination could change O. M. Sackett's assertion that the mob of the citizens' alliance in Cripple Creek, made up of good citizens of district, took the law into their hands as a last resort and deported men on grounds that the men who refused to work or permit others to, should be sent away. He admitted some deportations were unjust but stated positively when these were discovered they were allowed to return.

The last witness of the day and the last for the state was William Stuart, a Scotchman, red-bearded and with the burr of his country on his tongue. He was a miner in the Cripple Creek district during the troubles and told the terrible story of maltreatment at the

hands of miners who warned him that he would have to take the consequences if he went to work as a "Scab." With a native stubbornness Stuart went to work, however, and today with a native wit he told of the consequences. Richardson dismissed the witness with the words:

"That's all."

Stuart wheeled out of the witness chair and as he stepped down he said quietly:

"Humph, well, there's more if ye want it." and with this the prosecution rested.

MAYOR TAYLOR.
SAN FRANCISCO, July 17.—Mayor Taylor said tonight that before accepting the Mayoralty offer yesterday he took the counsel of Chief Justice Beatty who almost urged him to take the office. The Mayor says he is a believer in unions and thinks they have improved labor conditions. He has not yet made up his mind as to the selection of a new board of supervisors.

UNKNOWN OPERA OF VERDI'S.

Propositoing by California, Missouri, Maryland and Florida.
NEW YORK, July 17.—Secretary Frederick H. Elliott, of the American Automobile Association after a conference with leading officials of the Association, announced that there would be a Vanderbilt cup race this season somewhere. The New Jersey Senate meets this week to take action on the bill to permit the race in that state. The Senate is expected to act favorably, but even if it refuses the necessary permission, in deference to some opposition that has developed, the race, Mr. Elliott says will be held.

"If New Jersey does not want the event," he said, "we will immediately consider the propositions that have been presented for the big test from California, Missouri, Maryland, and Florida. California, at the present time is the most enthusiastic state in the Union for the race."

A STRIKE PROBABLE

Cots and Mattresses are Placed in Offices

ROBERT C. CLOWREY SILENT

The Operators Officials are Inclined to Believe That The Action Indicates The Unwillingness Of The Western Union to Arbitrate Making Peace Improbable

NEW YORK, July 17.—Officials of the Western Union Telegraph Company are apparently preparing for a strike of telegraphers by placing beds in the offices of the main building at 195 Broadway. Fifty wooden cots and 100 mattresses have been carried into the building and fifty more cots are to be received there today. Robert C. Clowrey, president of the operators local union, when informed of the fact, said he would appeal to the health board.

"The placing of the cots in the Western Union Building," he said, "is a violation of the hotel and lodging house laws. Through our counsel we will enter a complaint to the health commission. This authority would not permit it in Chicago and they cannot permit it in New York."

The move of the operators officials were inclined to believe indicated that the Western Union Company would refuse to arbitrate the demands of the men, and that the visit of United States Labor Commissioner Neill to the coast to bring about peace would be in vain.

RECEIVES COMMISSION.

SAN FRANCISCO, July 17.—Ex-Senator W. C. Ralston has received his commission as sub-treasurer from the Secretary of the Treasury at Washington and is preparing the \$250,000 bond required by the holder of the office. It is expected he will commence his duties on August 1.

EMPEROR TO ABDICATE

Has Sent for Marguis Ito.

WOULD NOT BE SURPRISE

Believed a Final Decision on Request to Abdicate Will be Reached Soon.

TENDENCY HAS BEEN THAT WAY

The Japanese Government Regards the Despatch of the Korean Delegation to Hague as Affording Pretext for Putting an End to Anomalous Condition.

TOKIO, July 18.—The Emperor of Korea has sent for Marquis Ito and it is likely that he will receive the Marquis in audience this afternoon. It is believed a final decision on the request for the Emperor's abdication will be received this evening when the ministers appear in a body before his Majesty.

LONDON, July 17.—The abdication of the Emperor of Korea would cause no surprise here. Matters have been drifting that way ever since the Japanese occupation of that country and the Japanese government evidently regards the despatch of the Korean delegation to the Hague as affording a long sought pretext for putting an end to the anomalous condition of affairs in Korea.

GREEK PEONAGE.

Shoeshining Parlors, Restaurants etc., Lure Boys From Greece Here.

CHICAGO, July 17.—War on a supposed system of Greek Peonage has been opened by the government. Proprietors of Greek shoeshining parlors, ice cream parlors and restaurants who lure boys from Greece to America and here keep them in practical slavery, will be called to account.

Evidence involving a number of Chicago Greeks has been forwarded to District Attorney Sims by the Bureau of Immigration at Washington and whole sale indictments against offenders are promised by federal officials. In addition to the evidence by the Washington officials, a mass of evidence, it is said has already been gathered in Chicago by Aleideulisa Sareppie, United States consul in Athens, who was commissioned by the bureau to make investigation here.

REPORTED SALE OF LINERS.

Efforts Made To Conceal Negotiations By Harriman.

TACOMA, July 17.—Negotiations are believed to be in progress for the sale of the Boston Steamship Company's Manila liners Tremont and Shawmut to the Pacific Mail Steamship Company for use in the Harriman corporations line from San Francisco to the Orient.

William Chisholm, superintendent of engineers for the Pacific Mail Company accompanied by Robert Creighton and Captain William Kidston of San Francisco arrived in the city yesterday and during the day made a complete inspection of the big liner Tremont as she lay at the oriental dock. Utmost secrecy surrounds the negotiations. When seen last night on board the Tremont the men flatly denied knowledge of any pending deal and even refused to tell their official titles, avowing that they are merely on a pleasure trip.

AGAIN IN TROUBLE.

Armed Clash Expected Within 15 Days In Central America.

SAN SALVADOR, July 17.—An armed clash which was believed would involve all central America, probably will occur within 15 days. It is expected the first battle will be between Salvador and Nicaragua. General Lee Christman, an American who was wounded in the recent war between Nicaragua and Honduras, has been appointed general in command of a Salvadorean regiment. General Chamorro is expected from Guatemala on the next ship. Upon his arrival he will proclaim himself provisional president of Nicaragua.

TO INVESTIGATE "PENS."

NEW YORK, July 17.—A searching investigation of all the penal institutions of the state, the Herald announces today is to be made by Governor Hughes. Startling revelations are predicted which will show an immediate need for reform. Convicts, it is stated, have made many charges and these are said to be responsible for the governor's contemplated action.

Sing Sing Prison, the famous jail on the Hudson is understood to be the first of the penal institutions to be probed.

AYRES IN NEW YORK.

Lieut. Colonel Satisfied That He Will Pass Examination Successfully.

NEW YORK, July 17.—Lieutenant Colonel Ayres, whose wife got into a dispute with the War Department because she was barred from visiting West Point, appears today before a retiring board in this city. Lieutenant Colonel Ayres is in town and is anxious for the ordeal. Although he has consulted his counsel, he will appear alone before the board and is confident he will pass the examination successfully. Ayres says he is in perfect health and that his physical and mental condition is excellent.

SHOT FROM AMBUSH

Was Killed by an Unknown Assassin.

VICTIM A SWISS DAIRYMAN

Had Taken Part in a Free-For-All Fight in a Saloon Last Saturday Night and Suspicion Rests On Some One in That Fight.

PORTLAND, July 17.—Crouching beside the Cornell road in a thicket of fern, about a mile from the head of Johnson street, an unknown assassin shot and killed Alex Huber, a milkman, between 11 o'clock last night and midnight, as the latter was walking to his ranch, the Mountain View Dairy. The murder was deliberate, premeditated and coldblooded and is presumed to be the outcome of a row which occurred Saturday night in the Gruetti saloon, on Yamhill street between Front and First, in which nine milkmen participated. The police and sheriff's office are now trying to locate and receive an account of each of the dairymen who were in the fray.

Huber was a native of Switzerland of powerful frame. This may be a reason for the assassin shooting him from ambush. When last seen the murdered man was under the influence of liquor and alone. Two shots were fired with a 38 calibre revolver both taking effect. He was under arrest at the time of his murder for taking part in the Gruetti fight of Saturday night but was released on bonds. A warrant is out for the arrest of Huber's brother for taking part in the same fight. The opinion is that the murderer is some one of the men beat up in Saturday night's trouble.

BOB FITZSIMMONS OUT.

PHILADELPHIA, July 17.—Jack Johnson stopped Bob Fitzsimmons in the second round of a six-round bout tonight.

STORY OF THE GEORGIA

Told by Captain McCrea Himself.

A VERY SICKENING SCENE

The Ship Was Making a Splendid Record Shooting at the Time of Accident.

PRAISES BRAVERY OF MEN

The External Burns of the Injured Were Hideous But the Gases From the Smokeless Powder "That Is What Kills."

BOSTON, July 17.—Captain Henry McCrea gave the Associated Press a graphic story of the disaster on the battleship Georgia Monday which cost the lives of nine men, the injury to 13 others, some perhaps fatally. He said:

"I was on the bridge making the run for the practice, taking observations of each shot. I saw we were beating the records of the other ships of the fleet. On the bridge I could hear the command from the after turret, so I knew when the next shot was coming. 'I heard the shout 'Fire,' but there was no shot and then I saw the men running aft, and get the fire hose which was always in readiness when firing was going on.

"I rushed to the after bridge to see what was the matter. The water was already being poured into the turret. The boatswain and midshipment, Gravenicroft, led the way for their men with the hose. I tell you there was courage. No man knew what had happened, and no man knew what danger he might be running. But those men never thought of self or danger. That brave act will look well on their records.

"Then they began to bring out the men. One of the first was the one in whose hands the powder flashed. I went to him. I could not recognize him. His hands were burned to the bones. The flesh was gone. With those hands raised above his chest and the tips of his fingers bent toward each other, I could hear him whisper, 'Oh, God! Oh, God, Oh, God!' He could not move his lips enough to utter any other words.

"I bent closer to him. 'My dear fellow, God has heard your prayer.' 'He was brought ashore but soon died. The men were brought out as fast as they could be taken from the turret. Most of them felt relief as soon as they got in the open air. The gases from the powder was terrible. That is what kills. The external burns were hideous, but to breathe that stuff is fatal.

"One man in that turret was not hurt, Midshipman Kimball, and I do not understand how he could have escaped. He too showed grit after the shock he had. Lieutenant Goodrich set an example to his men that none but a courageous officer could have set, when he plunged into the flame and gases and led the way to safety. After he got to the deck he threw himself overboard. If our launch had not been nearby he would have been drowned.

"Probably one little act or rather one great act of one of the men prevented far greater disaster. I don't know his name—he is dead. He and one other stood by the second gun that had just been loaded. The last bag of powder that had been put in was protruding a little from the gun. When he saw the flash, instead of dashing for the ladder to save himself, he crowded home the charge and with the help of the other men, got the gun closed before the flame reached the bag. If the flame had

touched that bag there would have been an awful explosion, for the powder was confined and could not have flashed as the other did, but would have exploded. Not one man in that turret would have been left alive. That man gave his life for others.

"Since we went back to the target grounds, the men have been shooting better than before the accident.

"We have not finished practice and we are going back to the targets and break our records."

UNKNOWN OPERA OF VERDI'S.

MILAN, July 17.—In a box of old papers in Verdi's old home at Santa Agata, there has been found the manuscript of a hitherto unknown opera written by the great composer. In accordance with the will of Verdi, the contents of this box were to have been destroyed and it was while going through the papers preparatory to carrying out the dead man's wishes that the opera was found. It has not yet been decided by Verdi's executors what will be done with the manuscript. It is supposed to have been one of his early works.

SUCCESSFUL SPRINKLING.

SALT LAKE CITY, July 17.—The briny waters of Great Salt Lake have been tried by the Oregon Short Line for a novel purpose and with remarkable success. Stored in tanks the fluid has been hauled over the lines in water trains and sprinkled over the right of way. Under the sprinkling of weeds, the fame of the section hands, have withered, to rise no more. Sixteen months have elapsed since the first experiments of this sort, and the scheme has now been permanently adopted.

SUFFER FROM HEAT.

A Dozen or More Deaths and Many Prostrations in Pittsburg.

PITTSBURG, July 17.—A dozen or more deaths and many prostrations occurred here yesterday from the heat. The maximum temperature was 87 degrees.

AT CRUCIAL STAGE

Prosecution introduce "Evidence of Similar Offenses"

IS USED IN CRIMINAL CASES

Defense Contests Introduction of Such Evidence on the Ground that State Has Not Privileged to Prove Other Crimes In Effort to Prove One On Trial.

SAN FRANCISCO, July 17.—The trial of Louis Glass reached a crucial stage today when the prosecution made the first attempt to introduce the testimony of ten or more supervisors other than Boxton that their votes were bought by Theodore V. Halsey, acting under the direction of Vice-President Glass of the Pacific States Company. Such evidence is called "Evidence of similar offenses" and is often admitted in a criminal trial for the purpose of showing the corrupt intention on part of the defendant in the commission of an act for which he is tried. The defense contests this right mainly on the ground that the state is not privileged to prove other crimes in an effort to establish the crime on trial. The argument of this point, conceded be even more than its original importance since the defection of Vice-President Zimmer from the ranks of the prosecutions' witness occupied the last two hours of the day and is still in progress when the court adjourned. The jury was excused at the commencement of the argument and were taken to a near-by park and later to their quarters at the Fairmont Hotel.

MORE DIE FROM HEAT.

PITTSBURG, July 17.—Ten deaths, due to the heat, occurred today, making over a score of deaths in the past 36 hours.